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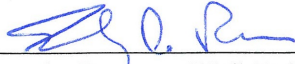
MEMO ENDORSED

November 4, 2021

Via ECF

The Honorable Edgardo Ramos
United States District Judge
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

The application is x granted
 denied



Edgardo Ramos, U.S.D.J.
Dated: 11/04/2021
New York, New York

**Re: *Deutsche Bank Securities Inc. v. Kingate Global Fund Ltd., et al.,*
 No. 19-cv-10823-ER (S.D.N.Y.)**

Dear Judge Ramos,

We write on behalf of Defendants Kingate Global Fund Ltd. and Kingate Euro Fund Ltd. (the “Funds”) for approval to file a redacted version of a document produced by third party Glendon Capital Management L.P. (“Glendon Capital”) ahead of the pre-motion discovery conference on November 5, 2021. The document—filed publicly herewith in proposed redacted form as **Exhibit 1 to the Declaration of Andrew R. Dunlap**¹—bears on Plaintiff Deutsche Bank Securities Inc.’s (“DBSI”) assertion of a common interest privilege with its third-party investors, and the Funds may refer to Exhibit 1 during the conference.

The Funds seek to file Exhibit 1 in redacted form to cover information that Glendon Capital has designated “Highly Confidential,” which, according to the Protective Order, represents Glendon Capital’s good faith judgment that “disclosure of the [information] would cause serious and irreparable competitive or other harm that cannot be avoided by less restrictive means.”² ECF No. 48 ¶ 6. The parties agreed that any such information must be filed under seal consistent with Paragraph 3.ii of Your Honor’s Individual Practices. *See id.* ¶ 12.

¹ An unredacted version of the document with the proposed redactions highlighted is attached as Exhibit 1 to the Declaration of Andrew R. Dunlap, separately filed under seal contemporaneously herewith.

² The Funds take no position on Glendon Capital’s confidentiality designation and do not waive any right to later challenge the confidentiality designation of the redacted terms or to use or refer to those terms in open court after the November 5th conference.

The Honorable Edgardo Ramos
November 4, 2021

The Funds notified DBSI and Glendon Capital of this filing and that they may refer to Exhibit 1 during the November 5th conference, and the parties met-and-conferred about necessary or advisable procedures to protect the confidentiality of the document. *See* ECF No. 48 ¶ 15. Glendon Capital re-designated as “Highly Confidential” only the information covered by the proposed redactions on Exhibit 1. The Funds agreed not to quote or specifically refer to the redacted information during the November 5th conference, and Glendon Capital and DBSI agreed that the proposed redacted version may be filed with the Court for use during the November 5th conference.

Accordingly, the Funds respectfully request that the Court grant this letter motion allowing the Funds to file the proposed redacted form of Exhibit 1 to the Declaration of Andrew R. Dunlap.

Respectfully submitted,

/s/ Andrew R. Dunlap

Andrew R. Dunlap

Cc: Counsel of Record (via ECF)